

Nancy Dahlstrom  
Lieutenant Governor  
State Capitol  
Juneau, Alaska 99811  
907.465.3520  
WWW.LTGOV.ALASKA.GOV



530 West 7<sup>th</sup> Ave, Suite 1700  
Anchorage, Alaska 99501  
907.269.7460  
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**M E M O R A N D U M**

**TO:** Sara Chambers, Boards and Regulations Advisor  
Department of Commerce, Community and Economic Development

**FROM:** April Simpson, Alaska Administrative Code Coordinator   
Office of the Lieutenant Governor

**DATE:** May 6, 2025

**RE:** Filed Permanent Regulations: Board of Barbers & Hairdressers

Board of Barbers & Hairdressers regulations re: Use of "appliances" as it relates to definition of esthetics (12 AAC 09.990)

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Attorney General File:	2024200504
Regulation Filed:	5/6/2025
Effective Date:	6/5/2025
Print:	254, July 2025

cc with enclosures:

Beth Parsons, Paralegal 2  
Department of Law

Bob Dame, Alaska Legal Analyst  
LexisNexis

Sylvan Robb, Division Director  
Department of Commerce, Community and Economic Development

Stefanie Davis, Regulations Specialist 2  
Department of Commerce, Community and Economic Development



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**Department of Law**

CIVIL DIVISION

P.O. Box 110300  
Juneau, Alaska 99811  
Main: 907.465.3600  
Fax: 907.465.2520

May 1, 2025

The Honorable Nancy Dahlstrom  
Lieutenant Governor  
State of Alaska  
P.O. Box 110015  
Juneau, AK 99811-0015

Re: *12 AAC 09.990: Board of Barbers & Hairdressers - Use of "appliances" as it relates to definition of esthetics*  
Our file: 2024200504

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Board of Barbers and Hairdressers against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Barbers and Hairdressers after the close of the public comment period.

The regulations set out a definition of "appliances," as that term is used in the definition of the statutory term "esthetics."

The March 12, 2025 public notice and the April 17, 2025 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

We have made a technical correction to conform the regulations in accordance with AS 44.62.060. The correction is incorporated into the attached copy of the regulations.

Sincerely,

TREG TAYLOR  
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**  
Rebecca C. Polizzotto  
Chief Assistant Attorney General  
Legislation, Regulations, and  
Legislative Research Section

Digitally signed by  
Rebecca C. Polizzotto  
Date: 2025.05.01  
13:01:13 -08'00'

RCP/SCW

CC w/enclosure: Stefanie Davis, Regulations Specialist 2  
Department of Commerce, Community and Economic Development

Harriet D. Milks, Assistant Attorney General  
Department of Law

Steven C. Weaver, Assistant Attorney General  
Department of Law

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF THE ALASKA BOARD OF BARBERS AND HAIRDRESSERS

The attached one page of regulations, relating to the statutory definition of “esthetics” and the term “appliances” adopting by reference the Code of Federal Regulations, is certified to be a correct copy of the regulation changes that the Board of Barbers and Hairdressers adopted at its April 17, 2025 meeting, under the authority of AS 08.13.030 and AS 08.13.220, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Barbers and Hairdressers paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 4/17/2025

DocuSigned by:  
Kevin McKinley  
Board Chair  
Alaska Board of Barbers and Hairdressers

*April Simpson for*

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that \_\_\_\_\_ on \_\_\_\_\_  
May 6, 2025 at 10:45 a.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

*for* April Simpson  
Nancy Dahlstrom, Lieutenant Governor

Effective: June 5, 2025

Register: 254, July 2025

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.**



A handwritten signature in blue ink, appearing to read "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM  
LIEUTENANT GOVERNOR**

**Chapter 09. Board of Barbers and Hairdressers.**

12 AAC 09.990(b) is amended to read:

(b) For the purposes of AS 08.13.220(5),

**(1) "appliances" in the field of esthetics means only those devices used to stimulate natural physiological processes intended to improve the health and appearance of a person's skin; a device**

**(A) operates within the manufacturer's guidelines;**

**(B) does not directly ablate or destroy live tissue;**

**(C) does not involve an incision into skin beyond the epidermis;**

**and**

**(D) is not defined as a Class III or Class IV laser device under 21 C.F.R. 1040.10, revised as of April 2, 2018, and adopted by reference;**

**(2)** "for a fee" does not include remuneration received by a person employed or working under contract to provide make up services for a television, film, or stage production. (Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, Register 105; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 12/6/2002, Register 164; am 7/12/2007, Register 183; am 4/21/2010, Register 194; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am 3/30/2019, Register 229; am 12/6/2020, Register 236; am 6 / 5 / 2025, Register 254)

**Authority:** AS 08.13.030 AS 08.13.220